



HE AROTAKE I TE TURE MŌ NGĀ HUARAHĪ WHAKATAU A NGĀ PAKEKE REVIEW OF ADULT DECISION-MAKING CAPACITY LAW

Key Topics: Information sheet

About the Review

Te Aka Matua o te Ture | Law Commission is reviewing the law relating to adult decision-making capacity. The main law we are reviewing is the Protection of Personal and Property Rights Act 1988 (the PPPR Act).

In April 2024 we published our Second Issues Paper. The Second Issues Paper explains issues with the current law, and seeks feedback on how the law could be improved. You can find the Second Issues Paper on [our project website](#).

About the Key Topics

Alongside the Second Issues Paper, we have published four Key Topic documents. These are short, plain-language summaries of a few of the most important topics in the Second Issues Paper. In each Key Topic we ask some high-level consultation questions.

The Key Topics are available on [our website](#) in a range of accessible formats: New Zealand Sign Language, Easy Read, audio, large print and Braille. They are also available in te reo Māori.

The Key Topics are:

- Key Topic 1: Court-appointed representatives.
- Key Topic 2: Decision-making support.
- Key Topic 3: Enduring powers of attorney.
- Key Topic 4: Practical improvements and court processes.

The Key Topics do not cover all the topics, issues and consultation questions in the Second Issues Paper. Each Key Topic cross-refers to the relevant parts of the Second Issues Paper, so people can easily find our detailed analysis and questions.

Have your say

You can tell us what you think by sending us a submission. Submissions close at **5pm on Friday 21 June 2024**.

You can send us a submission by:

- Emailing us at: huarahi.whakatau@lawcom.govt.nz.
- Writing to us at: Review of Adult Decision-making Capacity Law, Law Commission, PO Box 2590, Wellington 6140.

Your submission can respond to the questions in the Key Topics, or you can tell us your thoughts generally. You are welcome to make an individual submission, or to work with others and send us a group submission.

If you want to answer the more detailed questions in our Second Issues Paper, you can find information about how to do this on [our website](#).

If you would like to make a submission, but these options are not accessible to you, please get in touch with us in one of the following ways:

- Email us at: huarahi.whakatau@lawcom.govt.nz.
- Call us at: 0800 832 526.
- If you are Deaf, hard of hearing, deafblind, speech impaired or find it hard to talk, you can use [the New Zealand Relay Service](#).

Some people may find it emotional or distressing to make a submission. If you want to make a submission, you may want to arrange to have a support person ready to help. If you are upset or distressed you can also call or text 1737. This is a free helpline service that is available 24 hours a day. You'll get to talk or text with a trained counsellor. The service is provided by Whakarongorau Aotearoa | New Zealand Telehealth Services.

How we will use your information

Information you give us is subject to the Official Information Act 1982 and the Privacy Act 2020.

For more information about the Official Information Act, please see the [Ombudsman's website](#). For more information about the Privacy Act, please see the [Privacy Commissioner's website](#).

If you send us a submission, we will:

- Consider the submission in our review.
- Keep the submission as part of our official records.

We may also:

- Publish the submission on our website.
- Refer to the submission in our publications.
- Use the submission to inform our work in other reviews.

Your submission may contain personal information. You have the right to access and correct your personal information at any time.

You can request that we do not publish your name or any other identifying information in your submission. If you request this, we will not publish your name or any other information that we think might identify you or others on our website or in our publications.

If we receive a request under the Official Information Act that includes your submission, we must consider releasing it. If the request includes your personal information, we will consult with you.

If you have questions about the way we manage your submission, you can contact us at huarahi.whakatau@lawcom.govt.nz.

Background to the review

The PPPR Act sets out a range of legal arrangements that can be put in place if an adult's decision-making is affected. A person's decision-making can be affected by many things, such as dementia, acquired brain injuries, learning disabilities or experiences of mental distress.

Many people have said the law in this area needs to be reviewed, to make sure it works well for people with affected decision-making and those around them.

We think the PPPR Act needs to be replaced with a new Act that has a bigger focus on what the person with affected decision-making wants.

We published a Preliminary Issues Paper in November 2022. This asked about people's experiences with the current law. We used the feedback we received on the Preliminary Issues Paper to develop our Second Issues Paper. You can find our Preliminary issues Paper [on our website](#). You don't need to read the Preliminary Issues Paper to make a submission on the Key Topics.

About the Law Commission

Te Aka Matua o te Ture | Law Commission is an independent state agency that provides law reform advice to the Government. The Government does not direct how we carry out our work or the recommendations we make.

We undertake research and engagement, and then make recommendations to Government to improve the law. These recommendations are published in a report to the Minister of Justice. The Minister must present our report to Parliament. The Government decides whether and how it will change the law.

You can find out more about what we do on [the Law Commission website](#).